

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA, *et al.*,      )  
  )  
Plaintiffs,   )  
  )  
v.   ) Civil Action No. 1:23cv0108 (LMB/JFA)  
  )  
GOOGLE LLC,   )  
  )  
Defendant.    )  
\_\_\_\_\_

**ORDER**

This matter is before the court on defendant's motion to seal an unredacted version of its opposition to plaintiffs' motion for *in camera* inspection and to compel production of documents wrongfully withheld as privileged, along with the exhibits A–C. (Docket no. 247). Defendant filed a memorandum in support of this motion to seal (Docket no. 248) along with a redacted version of its opposition in the public record (Docket no. 245). After reviewing the motion and defendant's initial memorandum, and the materials that were being requested to be filed under seal, the court issued an order providing some guidance to the parties concerning the filing of documents under seal and requested that defendant review the materials subject to this motion and provide the court with an additional response. (Docket no. 280). On July 17, 2023, defendant filed an additional response as requested by the court. (Docket no. 284).

In defendant's additional response, it has filed in the public record a copy of exhibit A along with redacted versions of exhibits B and C. (Docket nos. 284-31–284-33). The redactions in defendant's opposition are limited to personal information of defendant's employees and they may remain under seal at this time in deference to the procedure being followed in the New York action. Exhibit A has now been filed in the public record without any redactions. As to

exhibits B and C, defendant has filed in the public record redacted versions of those two exhibits.

Having reviewed the information that has been redacted from the public version of these exhibits, the court finds those proposed redactions are appropriate. The information redacted in these two deposition transcripts contain the names of defendant's employees and defendant's confidential business information. For the purposes of this discovery motion, defendant's additional response provides adequate support to overcome the common law right of access to defendant's confidential business information.

For the reasons stated above, this motion to seal is granted in part and denied in part. The motion to seal an unredacted version of the opposition is granted. Defendant has filed in the public record exhibit A and the motion to seal that document is denied. As to exhibits B and C, the motion to seal is granted as to the redacted portions contained in the exhibits accompanying the additional response, and is denied as to the remaining information that has now been filed in the public record. Given these rulings and defendant's filing of certain information in the public record, no further action is required by the parties or the Clerk's Office to satisfy this order.<sup>1</sup>

Entered this 20th day of July, 2023.

  
John F. Anderson  
United States Magistrate Judge  
John F. Anderson  
United States Magistrate Judge

Alexandria, Virginia

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<sup>1</sup> Allowing any information to be filed under seal under the common law standard applied in this discovery motion has no precedential significance in any motion to seal under the *First Amendment* standard.